

### **REMARKS**

The present application has been reviewed in light of the Office Action mailed on April 30, 2008. Claims 1-57 are pending in the application.

In the Office Action, Claims 1-57 were rejected under 35 U.S.C. Section 103(a) as being unpatentable over U.S. Patent Publication No. 2002/0087461 A1 issued to Ganesan et al. ("Ganesan et al.") in view of U.S. Patent No. 6,629,082 issued to Hambrecht et al. ("Hambrecht et al."). The rejection is respectfully traversed.

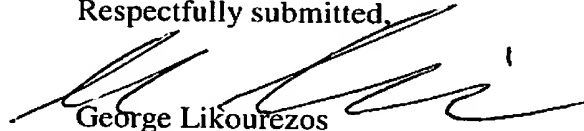
It is respectfully submitted that the effective filing date of Applicants' application is January 17, 2001. The effective filing date of the primary reference, Ganesan et al., is December 28, 2000. Applicants herewith submit a Declaration Under 37 C.F.R. Section 1.131 stating, inter alia, that invention and reduction to practice of the subject matter of the rejected claims prior to December 28, 2000 the filing date of the Ganesan et al. Publication. Accompanying the Declaration are Exhibits A1 and A2 which are true copies of a disclosure describing the invention titled "SYSTEM AND METHOD FOR MAKING PAYMENTS FOR ONLINE AUCTIONS" (Exhibit A1) and a draft of the patent application as filed with figures (Exhibit A2) that shows the subject matter of the present invention. Both documents provide evidence of the invention of the subject matter claimed prior to December 28, 2000, which has been redacted to remove dates and/or confidential/proprietary information. Accordingly, withdrawal of the rejection under 35 U.S.C. Section 103(a) and allowance of Claims 1-57 are respectfully requested.

In view of the foregoing remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1-57, are believed to be in condition for allowance

and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call Applicants' undersigned attorney at (631) 220-5706.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'George Likourezos', written over the typed name.

George Likourezos

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